

REGULAR CITY COUNCIL MEETING
JULY 15, 2004

PRESENT

Gayle Bunker
Robert Banks
Wesley Bloomfield
Glen Swalberg

Mayor
Council Member
Council Member
Council Member

ABSENT

Bruce Curtis
Margaret Dutson

Council Member
Council Member

ALSO PRESENT

Richard Waddingham
Alan Riding
Gregory Schafer
Robert & Sharry Harper
Grant & Louise Nielson
Nathan Losee
Blade Tolman
Ty Crosby

City Attorney
Public Works Director
City Recorder
Delta Car Show
City Residents
Boy Scout
Boy Scout
Boy Scout

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, date and agenda had been posted at the City Building and had been provided to the Millard County Chronicle/Progress and to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Schafer acted as secretary.

Council Member Glen Swalberg offered opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held June 3, 2004 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held June 3, 2004, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of Public Hearing #1 held June 17, 2004 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes

Delta City, Utah Regular City Council Meeting 07-15-04
Page 2

of Public Hearing #1 held June 17, 2004, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of Public Hearing #2 held June 17, 2004 were presented for consideration and approval. Following review, Council Member Glen Swalberg MOVED to approve the minutes of Public Hearing #2 held June 17, 2004, as presented. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held June 17, 2004 were presented for consideration and approval. Following review, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held June 17, 2004, as presented. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Wesley Bloomfield MOVED to approve the accounts payable dated July 15, 2004 in the amount of \$181,175.39. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

CITY ATTORNEY RICHARD WADDINGHAM: RESOLUTION REGARDING WATER OVERAGE RATE CHANGE

Mayor Bunker noted that this resolution raises the rate for use of more than the 6,000 gallon minimum per month from 50¢ per thousand gallons to 60¢ per thousand gallons for Delta City residents and from \$1.00 per thousand gallons to \$1.20 per thousand gallons for those outside the city limits.. It is hoped that this resolution will be helpful in the water conservation plan.

RESOLUTION NO. 04-292

A RESOLUTION REVISING THE WATER OVERAGE RATES FOR USE OF THE DELTA CITY WATER SYSTEM

Council Member Wesley Bloomfield MOVED to adopt Resolution No. 04-292, a resolution revising the water overage rates for use of the Delta City Water System, as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments

or questions regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Yes
Wesley Bloomfield	Yes
Bruce Curtis	Absent
Margaret Dutson	Absent
Glen Swalberg	Yes

The motion passed unanimously.

MAYOR GAYLE BUNKER: RATIFY APPROVAL OF AIRPORT IMPROVEMENT PROJECT
GRANT APPLICATION

Mayor Bunker advised the Council that the grant has been approved in the amount of \$150,000 for runway lights on the taxi way and wind speed and direction indicators on the end of the runway. Mayor Bunker noted that the grant application was approved at the last meeting but that approval should be ratified at this meeting.

Council Member Wesley Bloomfield MOVED to authorize the filing of the airport improvement project grant application, including all understandings and assurances contained therein and to direct and authorize Mayor Bunker, as the official representative of Delta City, to act in connection with the application and to provide such additional information as may be required. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN
THE UTAH DIVISION OF FORESTRY, FIRE & STATE LANDS AND DELTA CITY FIRE
DEPARTMENT

Mayor Bunker noted that this item has been on the agenda for several meetings, pending review by City Attorney Richard Waddingham. City Attorney Waddingham reported that he has been advised that the Memorandum of Understanding is being revised by the Division of Forestry, Fire & State Lands and will be re-sent to the cities involved when the revision has been completed.

Council Member Glen Swalberg MOVED to table further discussion on this matter until the revised document has been received and reviewed by City Attorney Waddingham. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Delta City, Utah Regular City Council Meeting 07-15-04
Page 4

NEW BUSINESS

ROBERT & SHARRY HARPER, DELTA CAR SHOW: REQUEST FOR APPROVAL TO USE CITY PARK FOR CAR SHOW TO BE HELD SEPTEMBER 17-19, 2004

Robert Harper thanked the Council for the beautiful park which has been provided. He then requested permission to use the City Park and adjacent soccer field north of the park on September 17, 18 and 19, 2004 for the annual Delta Car Show. In addition, he requested permission to close the west side of 100 West Street from Main Street to 100 North Street during that same time period.

Council Member Wesley Bloomfield MOVED to allow Delta Car Show to use the City Park and adjacent soccer field on September 17, 18 and 19, 2004 for the annual Delta Car Show and to authorize closure of the west side of 100 West Street from Main Street to 100 North Street until 2:00 p.m. on Sunday, September 19, 2004. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

GRANT NIELSON: TOPAZ CONDOMINIUMS PHASE 3

Mayor Bunker advised the Council that a public hearing had been held in 1997, prior to approval of the Topaz Condominium project plan, so a public hearing is not being required as each phase of the project is completed.

City Attorney Richard Waddingham presented the following Ordinance:

ORDINANCE NO. 04-215

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH, APPROVING PHASES 2 AND 3 OF THE TOPAZ CONDOMINIUM TOWNHOUSES, A PLANNED DEVELOPMENT; A RECORD OF SURVEY / PLANNED DEVELOPMENT PLATS; AND AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY LOCATED WITHIN THE BOUNDARIES OF APPROXIMATELY 400 EAST TOPAZ BOULEVARD, DELTA, UTAH, FROM R-D (RESIDENTIAL DEVELOPMENT) TO PD (PLANNED DEVELOPMENT).

Following discussion of the final plat requirements, Council Member Wesley Bloomfield MOVED to adopt Ordinance No. 04-215, an ordinance approving Phases 2 and 3 of the Topaz Condominium Townhouses, a planned development; a record of survey / planned development plats; and amending the zone district boundaries to reclassify certain property located within the boundaries of approximately 400 East Topaz Boulevard from R-D (Residential Development) to PD (Planned Development) and to approve Plat 3 with the conditions that the utility company signature block and the occupancy restriction language be added to the plat prior to signatures of Delta City being affixed to the final plat. The motion was SECONDED by Council Member Glen Swalberg. Mayor

Delta City, Utah Regular City Council Meeting 07-15-04

Page 5

Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Yes
Wesley Bloomfield	Yes
Bruce Curtis	Absent
Margaret Dutson	Absent
Glen Swalberg	Yes

The motion passed unanimously.

Mr. Nielson expressed displeasure over the requirement that five foot sidewalks be installed in his development. Mayor Bunker stated that the reason the city has decided to require five foot sidewalks in new development is the fact that it is difficult for two individuals to walk side by side on a four foot sidewalk. Mr. Nielson complained that the Council has "made it very difficult."

COUNCIL MEMBER ROBERT BANKS: PROPOSED ZONE CHANGE FROM I-D (INDUSTRIAL DEVELOPMENT) TO R-4 (MULTIPLE FAMILY RESIDENTIAL) ON PROPERTY LOCATED AT APPROXIMATELY 295 NORTH 500 WEST

Council Member Banks stated that the Planning & Zoning Commission had discussed this matter and recommended that the Council approve the zone change. Mayor Bunker stated that a public hearing had been held prior to this meeting for the purpose of receiving public comment regarding the proposed zone change with no negative comment being received. City Attorney Waddingham provided the following Ordinance:

ORDINANCE NO. 04-216

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY LOCATED AT APPROXIMATELY 295 NORTH 500 WEST, DELTA, UTAH FROM INDUSTRIAL DEVELOPMENT (I-D) TO MULTIPLE FAMILY RESIDENTIAL (R-4).

Council Member Robert Banks MOVED to adopt Ordinance No. 04-216, an ordinance amending the zone district boundaries to reclassify certain property located at approximately 295 North 500 West from Industrial Development (I-D) to Multiple Family Residential (R-4). The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Yes
Wesley Bloomfield	Yes
Bruce Curtis	Absent

Delta City, Utah Regular City Council Meeting 07-15-04

Page 6

Margaret Dutson
Glen Swalberg

Absent
Yes

The motion passed unanimously.

CITY ATTORNEY RICHARD WADDINGHAM: ORDINANCE ADOPTING 2003
INTERNATIONAL BUILDING CODES

City Attorney Waddingham has reviewed the international codes and found that they contain a statement which requires that appendices be separately approved. City Attorney Waddingham feels that he would like to obtain input from Building Inspector Gary Church prior to adopting those appendices, inasmuch as Mr. Church is the person who will be charged with enforcement. Also, there is one additional code which needs to be received before it can be adopted. City Attorney Waddingham requested that this matter be tabled until the next meeting.

Council Member Wesley Bloomfield MOVED to table discussion of this item until the next meeting of the Council. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT BANKS: APPOINTMENT OF LIBRARY BOARD MEMBERS

Council Member Robert Banks MOVED to appoint Brett Draper as Library Board Member to fill the unexpired term of Jason Komarek, whose term will expire June 30, 2006, Bonnie Shamo as Library Board Chairperson with a term to expire June 30, 2007, and Lamar Stephenson as Library Board Member with a term to expire June 30, 2007. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: REVIEW FOURTH OF JULY CELEBRATION

Mayor Bunker requested feed back and comment from Council Members on the celebration. Council Member Wesley Bloomfield expressed approval of the Council Members' float. The float made it easier for spectators to see Council Members. Other Council Members and Mayor Bunker agreed with Council Member Bloomfield. Council Members felt that the inflatable slide, obstacle course and rock climbing wall were a great hit. They also felt that the park preparation, including placement of the canopies, was very good. Council Members had concerns regarding children coming too far into the street to pick up candy. Mayor Bunker felt that more garbage containers should be placed around the park next year.

Mayor Bunker expressed concern over individuals parking on Main Street two days prior to the day of the parade. Many individuals complained about being unable to park close to businesses where they were attempting to conduct business. Mayor Bunker would like to restrict parking on Main

Delta City, Utah Regular City Council Meeting 07-15-04
Page 7

Street until the evening prior to the parade. Mayor Bunker has asked the Chamber of Commerce to distribute a questionnaire to their members to determine the feeling of business owners regarding the early parade parking.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that the Public Works Department is planning to finish their chip sealing project next Tuesday. They have prepped the skate park pad and have sent out bids for concrete to the five local contractors. The bid opening will be Monday, July 19th at 2:00 p.m.

There are bids coming in for materials to install storm drainage along 450 North and the project is being staked today.

The school district is donating enough sod to complete installation of sod around the water feature in the park. Many positive comments have been received about the project.

Public Works Director Riding noted that an ordinance had been adopted at this meeting raising the charge for water overage usage. He suggested that Council Members give some thought to raising the charge for water connections. The connection fee has remained the same since 1996, while the cost of materials for connections has increased appreciably during that time period.

OTHER BUSINESS

The Boy Scouts in attendance asked when the skate park would be completed. Mayor Bunker stated that we plan to have the skate park open by October 1st. The Scouts also asked if there would be a fee to use the skate park. Mayor Bunker told them they would be able to use the park without paying a fee.

Council Member Robert Banks reported that the Library Board has requested installation of a light near the Mark Twain sculpture.

Mayor Bunker reported that he has been advised that a Mormon cricket was found in Delta City. Mayor Bunker asked Council Members to watch for other sightings of the crickets, but felt this was an isolated incident.

Mayor Bunker told Council Members that there is a meeting in Salt Lake tomorrow, with the

Delta City, Utah Regular City Council Meeting 07-15-04

Page 8

Legislature, to discuss applying for funding to construct a conference center in Delta. The planned construction will probably not go forward as quickly as the promoter had hoped. Mayor Bunker felt that the Council needs to cooperate with the attempt to get a conference center in Delta because there are many associations which would be interested in coming here if there were facilities available.

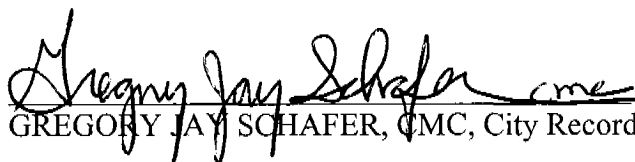
Mayor Bunker asked Council Members to think about a date for a summer picnic for employees and their families. This will be discussed at the next Council meeting and a date will be set.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn the meeting. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 8:13 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFER, CMC, City Recorder

MINUTES APPROVED: RCCM 08-19-04

